

REMARKS

Status of the Claims

Claims 1-20 are cancelled, new claims 21-40 are added.

Brief Review of Prosecution History

Applicant filed claims generally intending to describe its novel method and system whereby the major components required for drilling and lining a subsea well are prepositioned at the subsea site in advance of the coupling of a riser to the wellhead, so that a riser of smaller diameter than the well bore liners could be used for the drilling of the bore and installation of the liners in the bore. This is distinguished from the prior art methods that rely on larger diameter risers through which liners of relatively smaller diameter are passed for installation into the well.

The Office in a first Office Action of mail date 09/18/2006 included a 35USC103 rejection based on Hahn's GB 2,357,101A.

Applicant submitted a Response of mail date 12/15/2006 in which it made minor amendments and argued that Hahn had been misinterpreted in its comparison to the claimed invention. Applicant stated in part:

“The Office then at page 2 acknowledges Hahn to not disclose the diameter of the alleged riser relative to the liner, and asserts that since the liner 120 is pre-installed, the diameter of the alleged riser does not affect that of the liner and it could be smaller or larger than the diameter of the liner as design dictates. Applicant asserts this to defy logic, given that the Hahn liner 120 extends to the drilling rig, and if there were a riser, *[the liner]* would have to be small enough to pass through *[the riser]*.”

The Office in a Final Office Action of mail date 04/03/2007 continued the 35USC103 rejection based on Hahn, but further commented on the term “pre-installed” as being unclear and noted the methods claims to lack a sequential limitation to the steps.

The Applicant in Response of mail date 06/26/2007 and Supplemental Response of mail date 07/11/2007, amendments being NOT entered, had amended to limit the method steps to a sequence and changed “pre-installed” to “pre-positioned”, and explained these changes, and stated further:

”The method as here claimed is clearly antithetical to Hahn, which clearly depicts a larger diameter casing 112 analogous to Applicant’s riser and a lower section 114 and liner 120 analogous to Applicants liner, where lower section 114 is expressly stated at page 4, line 13, to be of smaller diameter than casing 112. There is no way to imagine from Hahn’s disclosure a pre-positioning of liner 120 below a substantial part of the casing 112 prior to its installation. There is clearly no teaching, suggestion, motivation in Hahn leading to the invention as claimed herein, and no rational basis for asserting so. For these reasons, Applicant asserts claims 1-4, 11 and 12 to be in condition for allowance and respectfully requests reconsideration.”

The Office in an Advisory Action of mail date 07/16/2007, assets the amendments to claim 1 to require further searching and/or consideration. The Examiner suggested that further limitations to provide clarification and details, referring to claims 2 and 19 by way of example.

Applicant in response has filed a Request for Continuing Examination with this Preliminary Amendment and Remarks.

Remarks in Support of this Preliminary Amendment

Applicant thanks the Office for the guidance and the opportunity to continue the case. Applicant incorporates its prior statements distinguishing Hahn from the claimed invention and respectfully asserts again that there is no rational basis for invoking Hahn as teaching, suggesting or motivating one to reach the claims as herein amended.

Applicant has herein amended the specification consistent with prior discussions. No new matter is added. Applicant has herein cancelled claims 1-20 and added new claims 21-40, of which claims 27-40 are substantially the same subject matter as cancelled claims 7-20.

Referring to new independent claims 21, 22, (derived from cancelled claim 1) further limitations have been added with respect to the pre-positioning of the liner as suggested by the Examiner. Referring to new dependent claims 23 and 24, those limitations are further extended. New claims 25 and 26, (derived from cancelled claims 5 and 6) are further limited as well.

Applicant is preparing and will be submitting a Rule 132 declaration in support of this application within a few days, and respectfully requests the Examiner not take up the case before August 31 so that this expert material will be before the Examiner.

Applicant believes the above amendments and remarks to place this application in condition for allowance. No new matter is added. Applicant requests speedy reconsideration, and further requests that Examiner contact its attorney by telephone, facsimile, or email for quickest resolution, if there are any remaining issues.

Respectfully submitted,

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